

Message Text

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43

ACTION EB-07

INFO OCT-01 ARA-06 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00

 DOTE-00 INR-07 NSAE-00 FAA-00 SS-15 NSC-05 L-03 /046 W

----- 120135

P R 191855Z AUG 75

FM AMEMBASSY BRASILIA

TO SECSTATE WASHDC PRIORITY 1031

INFO AMCONSUL RIO DE JANEIRO

AMCONSUL SAO PAULO

LIMITED OFFICIAL USE BRASILIA 7241

E. O. 11652: N/A

TAGS: EAIR, BR

SUBJECT: CIVAIR: VARIG SCHEDULE FILINGS

REFS: A. STATE 12337; B. BRASILIA 7154

1. EMBASSY HAS REEXAMINED ITS FILES IN LIGHT OF
QUESTIONS RAISED BY BRAZILIANS REGARDING SCHEDULE
FILING RIGHTS REFTEL A, THIRD PARA,
REFERS TO AN EXCHANGE OF NOTES DATED DECEMBER 1 AND
2, 1958, WHICH QUOTE PROVIDES THAT A SCHEDULE WHICH
DOES NOT REFLECT AN INCREASE IN AN AIRLINES' TOTAL
CAPACITY SHALL BE SUBMITTED BY THE INTERESTED
AIRLINE DIRECTLY TO THE AERONAUTICAL AUTHORITIES
OF THE OTHER GOVERNMENT, ETC. UNQUOTE. SEVENTH PARA REFTEL
A ALSO CITES DECEMBER 1 AND 2, 1958 EXCHANGE. OUR FILES
CONTAIN ONLY A COPY OF AN EXCHANGE OF NOTES DATED
DECEMBER 1, 1958, WHICH APPEARS TO DEAL SOLELY
WITH MODIFICATIONS OF ROUTES LAID DOWN BY THE
ORIGINAL 1946 AIR TRANSPORT BILATERAL AGREEMENT.
WE CAN FIND NO REFERENCE TO AN EXCHANGE OF NOTES
DATED DECEMBER 2, 1958 AND WOULD APPRECIATE DEPARTMENT
FORWARDING TO THE EMBASSY AND TO CONGEN RIO
COPIES OF THIS PARTICULAR EXCHANGE SOONEST.

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2. EMBASSY ALSO NOTES THAT ANNEX B TO FINAL

ACT OF US/BRAZIL AERONAUTICAL CONSULTATIONS TO MODIFY
AIR TRANSPORT AGREEMENT WHICH TOOK PLACE IN 1967
AND 1968 DEALS EXCLUSIVELY WITH CAPACITY PROCEDURES.
PARAGRAPH THREE OF ANNEX B APPEARS TO COVER FILING OF
SCHEDULES WHEN NO INCREASE IN CAPACITY IS INVOLVED.
IN ORDER TO BE ABLE TO MEET BRAZILIAN ARGUMENTS EFFECTIVELY,
EMBASSY AND CONGEN RIO WOULD APPRECIATE RECEIVING SOONEST
DEPARTMENT AND CAB LEGAL REASONING FOR BASING CAB
ORDER OF JULY 21 ON 1958 AGREEMENT AND BOARD'S POWERS
UNDER SECTION 213.
CRIMMINS

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Message Attributes

Automatic Decaptioning: X
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Disposition Case Number: n/a
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Margaret P. Grafeld
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